

12-19-06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/708,458 Filing Date: March 4, 2004
Applicant(s): Han-Yu Li Confirmation No.: 2457
Attorney Docket No.: CMDP0007USA Art Unit: 2617

Title: STRUCTURE OF A FOLDER-STYLE MOBILE PHONE

To: Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Subject: Request for Refund of an IDS Fee Paid by Mistake pursuant
to 37 CFR § 1.26

Dear Sir/Madam:

A refund of \$180 is hereby requested pursuant to 37 CFR § 1.26. The details are outlined below.

The undersigned agent filed an Information Disclosure Statement (IDS) for the above-identified application on January 19, 2006. A fee of \$180 was submitted by mistake, which was deducted on January 23, 2006, as shown in the "Attachment 1". Since the IDS was filed before the mailing of a first Office action on the merits, no fee should have been required according to 37 CFR § 1.97(b)(3).

Therefore, as this request for refund is filed within two years from the date the fee was paid, the undersigned agent hereby requests the Office to credit the fee of \$180 paid by mistake to his Deposit account No. 50,3105.

Respectfully submitted,

Winston Hsu

Date: December 19, 2006

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506, Merrifield, VA 22116, U.S.A.
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Note: Please leave a message in my voice mail if you need to talk to me.
(The time in D.C. is 13 hours behind the Taiwan time,
i.e. 9 AM in D.C. = 10 PM in Taiwan.)

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Attachment 1

Deposit Account Statement



United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month: January 2006

Deposit Account Number: 503105

Name: NORTH AMERICA INTELLECTUAL PROPERTY CORPOR.

Attention: WINSTON HSU

Address: 5F NO.389 FU-HO RD

City: TAIPEI HSIEN

State:

Zip:

Country: TAIWAN

01/20 19	10710724	NAUP0496USA4	1504	\$300.00
01/20 337	8955929	NAUP0484USA	8021	\$40.00
01/23 40	10708458	CMDP0007USA	1808	\$180.00
01/23 64	11307088	LOTP0003USA	1011	\$300.00
01/23 66	11307088	LOTP0003USA	1311	\$200.00
01/23 67	11307088	LOTP0003USA	1111	\$500.00
01/23 65	11307088	LOTP0003USA	8021	\$40.00
01/23 134	29248075	ACMP0331USA	1012	\$200.00
01/23 135	29248075	ACMP0331USA	1112	\$100.00
01/23 136	29248075	ACMP0331USA	1312	\$130.00
01/23 84	11307072	MTKP0317USA	8021	\$40.00
01/23 83	11307072	MTKP0317USA	1201	\$200.00
01/23 82	11307072	MTKP0317USA	1202	\$50.00

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609.01 Examiner Checklist for Information Disclosure Statements [R-5]

Examiners must check to see if an information disclosure statement (IDS) complies with:

(A) All the time-related requirements of 37 CFR 1.97, which are based on the time of the filing of the IDS. See MPEP ? 609.04(b) for more information.

Time when IDS is filed	37 CFR 1.97 Requirements
(1)(a) for national applications (not including CPAs), within 3 months of filing or before first Office action on the merits, whichever is later; (b) for national stage applications, within 3 months of entry into national stage or before first Office action on the merits, whichever is later; (c) for RCEs and CPAs before the first Office action on the merits.	None
(2) After (1) but before final action, notice of allowance, or <i>Quayle</i> action	1.97(e) statement or 1.17(p) fee.
(3) After (2) and before (or with) payment of issue fee.	1.97(e) statement, and 1.17(p) fee.
(4) After payment of issue fee.	IDS will not be considered.

(B) All content requirements of 37 CFR 1.98. See MPEP ? 609.04(a) for more information.

(1) Requirements for the IDS listing:

(a) A separate section for citations of U.S. patents and U.S. patent application publications;

(b) The application number of the application in which the IDS is being submitted on each page of the listing, if known;

(c) A column that provides a blank space next to each citation for the examiner's initials when the examiner considers the cited document; and

(d) A heading on the listing that clearly indicates that the list is an Information Disclosure Statement;

(e) Proper identification of all cited references:

(i) U.S. patents cited by patent number, issue date and inventor(s);

(ii) U.S. patent application publications cited by publication number, publication date and inventor(s);

(iii) Pending U.S. applications cited by application number, filing date and inventor(s);

(iv) Foreign patent documents cited by document number (including kind code), country and publication or issue date; and

(v) Non-patent literature cited by publisher, author (if any), title, relevant pages, and date and place of publication.

(2) The requirement of copies for:

(a) Each cited foreign patent document;

(b) Each cited non-patent literature publication, or the portion therein which caused it to be listed;

(c) Each cited U.S. pending application that is not stored in IFW;

(d) All information cited (e.g., an affidavit or Office action), other than the specification, including claims and drawings, of a pending U.S. application; and

(e) All other cited information or the portion which caused it to be listed.

(3) For non-English documents that are cited, the following must be provided:

(a) A concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, unless a complete translation is provided; and/or

(b) A written English language translation of a non-English language document, or portion thereof, if it is within the possession, custody or control of, or is readily available to any individual designated in 37 CFR 1.56(c).

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PTO/SB/17 (12-04-02)

Approved for use through 07/31/2006. OMB 0551-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-171).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**180.00****Complete if Known**

Application Number	10708,458
Filing Date	03/04/2004
First Named Inventor	Han-Yu Li
Examiner Name	DANIEL JR, WILLIE J
Art Unit	2686
Attorney Docket No.	CMDP0007USA

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: **50-3105** Deposit Account Name: **North America Intellectual Property Corporation**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = $\frac{\text{Total Claims} - 20}{\text{HP}}$ x Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Independent Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = $\frac{\text{Independent Claims} - 3}{\text{HP}}$ x Fee (\$)

HP = highest number of independent claims paid for, if greater than 3.

Small Entity

Fee (\$)

50

200

360

Multiple Dependent Claims

Fee (\$)

25

100

180

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(V) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = $\frac{\text{Total Sheets} - 100}{50}$ (round up to a whole number) x Fee (\$)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): submission of Information Disclosure Statement

Fees Paid (\$)

180.00

SUBMITTED BY

Signature	<i>Winston Hsu</i>	Registration No. (Attorney/Agent)	41,526	Telephone	3027291562
Name (Print/Type)	Winston Hsu	Date	1/19/2006		

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Adjustment Date: 12/20/2006 SDIRETA1
 01/23/2006 BABRAHAI 00000025 503105 10708458
 01 FC:1806 180.00 CR

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